

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Francis et al.	Art Unit :	2195
Serial No. :	10/754,443	Examiner :	Meng Yao Zhe
Filed :	January 8, 2004	Confirmation No.:	7986
		Notice of Allowance Date: November 12, 2009	
Title :	RESOLVING SCHEDULING CONFLICTS IN A RECORDING DEVICE		

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed November 12, 2009, enclosed is a completed issue fee transmittal form PTOL-85b.

The fee in the amount of \$755 for the required fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other credits or charges to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 12, 2010

/Brian J. Gustafson/
Brian J. Gustafson
Reg. No. 52,978

Customer No. 26181
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (877) 769-7945

PART B – FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(571) 273-2885**

or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

26181

7590

11/12/2009

**FISH & RICHARDSON P.C.
P.O. Box 1022
Minneapolis, MN 55440-1022**

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,443	01/08/2004	Stephen S. Francis	14710-0004001	7986

TITLE OF INVENTION: **RESOLVING SCHEDULING CONFLICTS IN A RECORDING DEVICE**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755		\$755	02/12/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
ZHE, MENG YAO	2195	

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Fish & Richardson P.C.
2. _____
3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE (CITY AND STATE OR COUNTRY)

Avtrex, Inc.

San Jose, CA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-1050 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☒ Ja. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ Jb. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered agent or, the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(Authorized Signature) Brian J. Gustafson/

Typed or Printed Name Brian J. Gustafson

(Date) February 12, 2010

Registration No. 52,978

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)

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COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

The applicant recognizes that in accordance with M.P.E.P. § 1302.14, the examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed.

The applicant does not concede that the examiner's stated reasons for allowance are the only reasons for which the claims are allowable. The claims may be allowable for other reasons as well. In particular, applicant does not concede that all of the limitations identified by the examiner are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. In addition, the examiner does not assert, and the applicant would not concede, that the examiner's reasons have any bearing on the patentability of claims in any other applications directed to the disclosed subject matter.

In addition, each dependent claim stands on its own and is allowable on its own merits. In particular, each dependent claim may be allowable on the basis of a combination of some of the features recited in the dependent claim and its base claim(s), which combination of features may not include all of the limitations identified in the examiner's reasons for allowance.

Please apply any charges or credits related to this paper to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 12, 2010

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